# CERTIFICATE OF FACSIMILE TRANSMISSION

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING FACSIMILE TRANSMITTED TO THE PATENT AND TRADEMARK OFFICE ON THE DATE SHOWN BELOW.

Name of person signing certification:

**PATENT** 

Attorney's Docket No. 111228TWT.US

FAX RECEIVED

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DEC 0 4 2002

PETITIONS OFFICE

In re Patent Application of

Group Art Unit: 2681

TOLSON

Application No.: 10/040,535

Examiner:

Filed: 12/28/01

Office of Petitions

For: TWIN-T DUAL NOTCH FILTER

# RENEWED PETITION UNDER 37 CFR 1.47(b)

Assistant Commissioner of Patents Washington, D.C. 20231

Sir:

7671 Post-If Fax Note

Applicant hereby makes renewed petition for Tropian Inc. ("Tropian") to make application for patent on behalf of and as agent for the sole inventor of the present application, Nigel J. Tolson, a resident of Great Britain residing at 5 Brading Way, Purley-on-Thames, Reading, Berks, GB RG8 8BS.

In further support of the petition are the following: the declaration of Nigel J. Tolson, signed on his behalf by Steve Knowles, VP of Tropian; and the declaration of Michael J. Ure.

PATENT Attorney's Doc. 111228TWT.US Page 2

The present petition is necessary to avoid loss of rights by the rightful assignee, Tropian. If the present renewed petition is not granted, Tropian will be unable to secure U.S. patent rights in the valuable invention of Mr. Tolson made for Tropian in the course of his employment and pursuant to his employment agreement with Tropian. Tropian would, as a result, experience irreparable harm.

Respectfully submitted,

TROPIAN, INC.

By: Michael J. Ure (Reg. No. 33,089)

20813 Stevens Creek Blvd. Cupertino, CA 95014 (408) 422-1319

Date: December 3, 2002

408-6174856

TRANSMISSION VERIFICATION REPORT

TIME : 12/03/2002 22:11 . NAME : PSUC CIP FAX : 408-6174856 TEL : 4086174856

DATE, TIME FAX NO./NAME DURATION PAGE(S) RESULT 12/03 22:07 917033058755 00:04:10 15 OK STANDARD

**FAX RECEIVED** 

DEC 0 4 2002

#### CERTIFICATE OF FACSIMILE TRANSMISSION

PETITIONS OFFICE

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING FACSIMILS TRANSMITTED TO THE PATENT AND TRADEMARK OFFICE ON THE DATE SHOWN BELOW.

Name of person signing certification: Michael V. Ure

Date: 12/3/02 Signature: Affective PATENT

Attorney's Docket No. 111228TWT.US

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

TOLSON

Application No.: 10/040,535

Filed: 12/28/01

For TWIN-T DUAL NOTCH FILTER

Group Art Unit: 2681

Examiner:

Office of Petitions

### RENEWED PETITION UNDER 37 CFR 1.47(b)

Assistant Commissioner of Patents Washington, D.C. 20231

Sir.

Date (1/3/02 pages /5		Ca. TRUDIAN	Phone # (408) 4:22-1319	Fax# (408) 223-6750
Post-II* Fax Note 7671	To Other of Reptins	Co.IDept USPTO	Phone # (103) 308 6916	Fax # 305 8755

Piens		rwark F	ide this box   teduction Act of 1995, no persons in the contraction act of 1995.	Detail and Trademark Office	• U.S. I	PTC/SB/01 (12-97) YOUGH 9/3000, OMB 0651-0032 DEPARTMENT OF COMMERCE of information unless it contains	+
				Attorney Docket Nun	iber	111228TWT.US	7
D	ECLARA		I FOR UTILITY OR	First Named Inventor		TOLSON ·	
İ	PATE		APPLICATION	COMPLE	:7E II	KNOWN	
i			FR 1.63)	Application Number		/ 10/040,535	
L				Filing Date	12/	28/02	
╏┖	Declaration Submitted	OR	✓ Declaration Submitted after Initial	Group Art Unit			
	with Initial Filing		Filing (surcharge (37 CFR 1.16 (e)) required)	Examiner Name			

	I hereby declare that:				
My residence, post office addr					
I believe I am the original, first names are listed below) of the	and sole inventor (if on subject matter which is	ly one name is listed balow) claimed and for which a par	or an original, fi lent is sought on	st and joint Inventor (If plural the invention emitted:	
Twin-T dual notch	ı filter				
the specification of which .	m	tle of the Invention)			
is attached hereto					
OR  was filed on (MM/DD/Y	12/28/2002	es United	d States Applicat	tion Number or PCT Internation	ख
Applicables blombes Topics				(if applicable	
Application Number 10/040	<u> </u>	vas amended on (MM/DD/Y			<b>-</b> J.
I hereby state that I have review amended by any amendment s	wed and understand the pecifically referred to at	; contents of the above them bove.	шва вресповии	n, including the classis, as	
I acknowledge the duty to discl	ose Information which is	meterial to patentability as	defined in 37 CF	R 1,56.	
I hereby claim foreign priority b certificate, or 385(a) of any PC America, listed betow and have to or of any PCT international appli	T international applicati	ion which designated at least checking the box, any firms	st one country ( on application to	aner than the United States of content or inventor's contincate	11
Prior Foreign Application		Foreign Filling Date	Priority	Certified Copy Attached?	
Number(s)	Сошпиту	(MM/DD/YYYY)	Not Claimed	YES NO	,
1				1E3 NO.	
			0000		
Additional foreign application	numbers are listed on	a supplemental priority data	Sheet PTO/SB/0	0000	
I hereby claim the benefit unde	r 35 U.S.C. 119(e) of a			IZB attached heroto:	
	r 35 U.S.C. 119(e) of a			IZB attached heroto:	

[Page 1 of 2]
Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sant to the Chief Information Officer, Parising and Trademark Office, Washington, DC 20231, DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

**FAX RECEIVED** DEC 0 4 2002 **PETITIONS OFFICE** 

408-6174856

PSUC CIP

PTO/SB/01 (12-97)

Approved for use through 9/30/00, OMB 0551-0032

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number. Please type a plus sign (+) inside this box -

Utility or Design Patent Application ECLADATION

	method application	in the m	auuci bioni e die annie	ded by th	e first	paragraph o	135 U.S.C.	112, I ad	unawied ia date	ge the duty to of the prior a	ating the the prior disclose opsication
areby claim the benefits fixed States of America fixed States or PCT Into compation which is mate of the national or PCT in	rial to patentability itemational filling da	as define to of this	d in 37 CFI application.	R 1,58 w						Patent Nu	
U.S. Parer	t Application Number	or PCT	Parent	ļ		rent Filing				appilcable	
	Mulliber										
								bast BTO	/SR/02f	attached he	elo.
Additional U.S. or P	T international app	lication n	umbers are	disted on etitioner	a supl	personal prosecute this	application	and to tr	msect :	o business in	the Paten:
s named inventor, i hi Trademark Office co	JUGGEO RIGIANITIE	LI Cust	omer Numa						1	Place Guston lumber Bar C Lebel here	009
		Rogi			กรกาย	/registration	number list	ed <u>below</u>		Regist	ration
Nam			Registr Num				Nam	:		Num	ber
fichael J. Ure		33	3.089								
•		1				Ì					
						division large.		M PTO/S	7/02C E	ttached here!	o,
Additional registere				Register	d Pre	COORE INIO					oa balou
rect all correspond	ence to: 🗹 Cus	stomer N Bar Cod	vumber e Labei	3023	3		OR	Con	respon	dence addr	222 DEION
lame											
ddress.											
Address					_			T f			
City						State		ZIP			
Country			Telepho	ne				Fax			4 hafat 20
hereby declare that a believed to be true; an sunishable by fine or application or any pate	moritanment or bo	herein of statements oth, under	of my own i ents were ri r 18 U.S.C.	criowledg rade with 1001 ar	e are the k	true and the nowledge the such willful	nt all statem not willful fa I false state	en zinem	nents a ny jeop	nd the like so ardize the va	made en
Name of Sole or						A petition	has beer	filed for	this ur	evní bengia	ntor
	me (first and mid		וועד				Fami	y Name	or Sun	ата	
Nigel J.					1	OLSON					
Inventor's										Date	07/06/02
Signature Residence: City	Reading		State	Berks	3	Country	GB			Citizenship	GB
Post Office Address											
	5 Brading V	νay, P	urley-on	-Tham	es						<del></del>
Post Office Address	T	State E	Berks		ZΡ	RG8 8B		Соц		GB	-
	Reading	Oction (									
City			thes	upplema	ental /	Additional I	nventor(s)	sheel(s)	PTO/	SB/02A atta	ched here
	tors are being na		thes	upplema	ental /	[2/3	12002				Citizensh

#### CERTIFICATE OF FACSIMILE TRANSMISSION

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING FACSIMILE TRANSMITTED TO THE	E PATENT
AND TRADEMARK OFFICE ON THE DATE SHOWN BELOW.	

Name of person signing certification:		<del></del>
Date:	Signature:	
		PATENT
		Attorney's Docket Nos. 111228TWT.US and
	•	111226CV3 HS

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Applications of Group Art Unit: **TOLSON** Application Nos.: 10/040,535; 10/040,534 Examiner: Office of Petitions Filed: 12/28/01 FAX RECEIVED DEC 0 4 2002 For: TWIN-T DUAL NOTCH FILTER PETITIONS OFFICE and FREQUENCY SYNTHESIZER FOR DUAL MODE RECEIVER

#### I, Michael J. Ure, DECLARE THAT:

- 1. I am the attorney of record in the subject patent applications. I am currently responsible for the applications and have been from the time of filing.
- 2. The "docs" referred to in the history of Mr. Tolson's e-mail reply of July 31, 2002 (submitted previously) are the declaration and assignment for each of the subject applications. These documents were attached as e-mail attachments to a prior e-mail that I sent to Mr. Tolson. Copies of these e-mail attachments as they were sent to Mr. Tolson with the prior e-mail are attached hereto.
- 3. Subsequent to filing of the subject applications on December 28, 2001, and prior to April

PATENT Attorney's Docket Nos. 111228TWT.US and 111228CX3.US

15, 2002 (the approximate date of termination of Mr. Tolson's employment with Tropian, the rightful assignee), I sent to Mr. Tolson, also by e-mail, complete copies of the applications as filed, together with declaration and assignment documents, substantially identical to those attached hereto, for Mr. Tolson's signature. No copy of the e-mail sending the applications to Mr. Tolson currently exists. However, in subsequent telephone communications with Mr. Tolson, he acknowledged to me that he had received the e-mail, the copies of the applications and the declaration and assignment documents.

- 4. Besides the subject applications, Mr. Tolson was named as inventor on only one other patent application for Tropian; in that other patent application, Mr. Tolson was one of several co-inventors, whereas he is named as the sole inventor of the subject applications. Because of these circumstances, when I resent the "docs" by e-mail to Mr. Tolson for signature, there was no doubt in my mind that Mr. Tolson would correctly associate the documents with the application copies sent previously. Had I had any doubt, I would have resent the application copies along with the documents.
- 5. During his employment with Tropian, Mr. Tolson was as a design engineer with responsibility for RF (cellular telephony) receivers. The inventions described in the subject applications relate directly to work carried out by Mr. Tolson for Tropian within the term of his employment. By the terms of Mr. Tolson's employment agreement with Tropian (submitted previously), Tropian is the rightful assignee of these inventions.

PATENT Attorney's Docket Nos. 111228TWT.US and 111228CX3.US

6. The undersigned further declares that all statements made herein of his own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statement and the like so made are punishable by fine, imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

Date: December 3, 2002

PTO/SB/01 (12-97) Please type a plus sign (+) inside this box -> + Approved for use through 9/30/00, OMB 0651-0032

Potent and Trudemark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a well OMB control sumbor. valid OMB control number. Attorney Docket Number 111228TWT.US DECLARATION FOR UTILITY OR TOLSON First Named Inventor DESIGN COMPLETE IF KNOWN PATENT APPLICATION **/** 10/040,535 (37 CFR 1.63) Application Number **FAX RECEIVED** 12/28/02 Filing Date Declaration Declaration Submitted after Initial **Group Art Unit** DEC 0 4 2002 OR Submitted Filing (surcharge with Initial (37 CFR 1.16 (e)) **Examiner Name** Filing required) **PETITIONS OFFICE** As a below named inventor, I hereby declare that: My residence, post office address, and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: Twin-T dual notch filter the specification of which (Title of the Invention) is attached hereto OR as United States Application Number or PCT International was filed on (MM/DD7777) 12/28/2002 (ii applicable). and was amended on (MM/DD/YYYY) Application Number 10/040.535 I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above. I acknowledge the duty to disclose Information which is material to patentability as defined in 37 CFR 1.55. I hereby claim foreign priority bandits under 35 U.S.C. 119(a)-(d) or 385(b) of any foreign application(a) for patent or inventor's certificate, or 385(a) of any PCT international application which designated at least one country other than the United States of America, lated below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is datmed. Certified Copy Attached? Priority Foreign Filling Date Prior Foreign Application Not Claim YE\$ Country (MM/DD/YYYY) Number(s) Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto: I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(e) listed below. Application Number(5) Filing Date (MM/DD/YYYY) Additional provisional application numbers are listed on a supplemental priority data sheet

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patient and Trademark Office, Washington, OC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patients, Washington, DC 20231.

PTO/SB/02B attached hereto.

Processor (12-97)

Please type a plus sign (+) inside this box 

+ Approved for use through 9/30/00. CNB 0651-0032

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office; U.S. DEPARTMENT of COMMERCE

Patent and Trademark of the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains

a valid OMB control number.

DECLARATION — Utility or Design Patent Application

DECLAR	ATION	- Ou									
hereby claim the benefit United States of America, United States or PCT Intel Information which is mate and the national or PCT in	under 35 U.S.C, 120 of listed below and, insc national application in ' rist to patentability as of ternational filing date of	eny Uniti ifar as the the manne defined in f this appl	ad State a subject or provided 37 CFI lostion.	es applica et matter ded by th R 1.56 wi	dion(s of ear e first nich b	), or 385( ch of the paragrap ccame av	c) of any PC daims of th h of 35 U.S. railable bety	T internalis applica C. 112, I income the t	tional ap tion is n acknowle ting date	plication design of disclosed in idge the duty to a of the prior a	the prior disclose optication
II S. Parent Application of PCT Parent Parent Plans Parent Plans											
	Number				(!	MW/DD	<u>~~~)</u>	┼─		аррисцые	2
	T international applica	n		Eated as	n dulb	nlomanta	orlogiy dati	sheet P	ro/SB/02	28 attached her	eto.
Additional U.S. or PC	Tinternational applica	an engleto	ers are	attinoed	s) to p	msecute	this applicat	on and to	transaci	al business in	the Patent
As a named inventor, I he and Trademark Office con	uecrea niciamini.	Custome	r Numb	er						Place Custon Number Bar C Label hera	ode
	<u> 2</u>				name	/registrati	on number	eted bed		Regist	ration
Name		'	Registr Num				Na	าย		Num	ber
Michael J. Ure		33.0	89				•				
							f P a	heat ETTO	ISB/02C	attached here!	
Additional registered	practitioner(s) named	on supple	mental	Registero	d Pre	cutioner 1	niomation s	neet FTQ	1301020	VIII.	
Direct all corresponde	nce to: Custor or Bar	ner Num Code La	ber bel	3023	3		OR	<u></u> С	опезро	ndence addr	ess below
Name											
Address					-	<del> ·</del> ·					
Address	· ·					State_		ZIP			
		Tal	ephor					Fax	1		
I hereby declare that all believed to be true; and punishable by fine or application or any patern	nnrisonment or both,	rein of m	y own h	nowledge	d that	such wi	inui falsa st	ziements	may jeo	pardize ine ve	ignly of the
Name of Sole or I	irst Inventor:					A petit			_	insigned inve	ntor -
Given Na	ne (first and middle	lif anyi)			- -		Far	nily Nem	e or Su	Mawa	
Nigel J.						OLSC	N				
inventor's Signature				<u> </u>	_	•	1			Date	07/06/02 GB
Residence: City	Reading		State	Berks		Country	,   GB			Citizenship	<u> </u>
Post Office Address									_		
Post Office Address	5 Brading Way	y, Purle	ey-on	-Tham	-T					I CB	
City	Reading Star	Berl			JP 1	RGB 8	_		ountry_	GB	abod bord
I 🗆	om om heinn namer	d on the	St	unnlemê	ntal A	Addition	I inventor	s) sheet	(s) PTO	/SB/02A alla	cued usig

PETITIONS OFFICE

111228TWT.US

## **ASSIGNMENT**

(SOLE)

residing a (hereinafter	ıt	ASSIGNMENT, by Nigel J. TOLSON  5 Brading Way Purley-on-Thames Reading, Berks, GB RG8 8BS ed to as "the Assignor"), witnesseth:
Twin-T du	al not	EREAS, the Assignor has invented certain new and useful improvements in ch filter plication, which is a
.•		☐ provisional application ☐ non-provisional application
	1.	(a) ☐ filed herewith; (b) ☐ to be filed:
	2.	having an oath or declaration executed on even date herewith prior to filing of
	3.	Dearing Application No. 10/040,535 , and filed on 12/28/02 ; and
of THE STA	WHI	EREAS, TROPIAN, INC., a corporation duly organized under and pursuant to the laws

WHEREAS, TROPIAN, INC., a corporation duly organized under and pursuant to the laws of THE STATE OF CALIFORNIA, and having its principal place of business at 20813 Stevens Creek Boulevard. Suite 150, Cupertino, California 95014-5649 (hereinafter referred to as "the Assignee"), is desirous of acquiring the entire right, title, and interest in and to said inventions, the right to file applications on said inventions and the entire right, title and interest in and to any applications, including provisional applications for Letters Patent of the United States or other countries claiming priority to said application, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon.

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and sufficient consideration, the receipt of which is hereby acknowledged, the Assignor has sold, assigned, transferred, and set over, and by these presents does sell, assign, transfer, and set over, unto the Assignee, its successors, legal representatives, and assigns the entire right, title, and interest in and to the above-mentioned inventions, the right to file applications on said inventions and the entire right, title and interest in and to any applications for Letters Patent of the United States or other countries claiming priority to said application, and any and all Letters Patent or Patents of the United States of America and all foreign countries that may be granted therefor and thereon, and in and to any and all applications claiming priority to said applications, divisions, continuations, and continuations-in-part of said applications, and reissues and extensions of said Letters Patent or Patents, and all rights under the International Convention for the Protection of Industrial Property, the same to be held and enjoyed by the Assignee, for its own use and behalf and the use and behalf of its successors, legal representatives, and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted as fully and entirely as the same would have been held and enjoyed by the Assignor had this sale and assignment not been made;

AND for the same consideration, the Assignor hereby covenants and agrees to and with the Assignee, its successors, legal representatives, and assigns, that, at the time of execution and delivery of these presents, the Assignor is the sole and lawful owner of the entire right, title, and interest in and to the inventions set forth in said applications and said applications, including provisional applications, abovementioned, and that the same are unencumbered, and that the Assignor has good and full right and lawful authority to sell and convey the same in the manner herein set forth;

AND for the same consideration, the Assignor hereby covenants and agrees to and with the Assignee, its successors, legal representatives, and assigns that the Assignor will, whenever counsel of the Assignee, or the counsel of its successors, legal representatives, and assigns, shall advise that any proceeding in connection with said inventions or said applications for Letters Patent or Patents, or any proceeding in connection with Letters Patent or Patents for said inventions in any country, including interference proceedings, is lawful and desirable, or that any application claiming priority to said application, division, continuation, or continuation-in-part of any applications for Letters Patent or Patents, or any reissue or extension of any Letters Patent or Patents to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, meintenance, enforcement and defense of Letters Patent or Patents for said inventions, without charge to the Assignee, its successors, legal representatives, and assigns, but at the cost and expense of the Assignee, its successors, legal representatives, and assigns;

Application No. \_\_\_\_\_\_Attorney's Docket No. \_\_\_\_\_111228TWT.US

AND the Assignor hereby requests the Commissioner of Patents to issue any and all said Letters Patent of the United States to the Assignee, as the Assignee of said inventions and the Letters Patent to be issued thereon for the sole use and behalf of the Assignee, its successors, legal representatives, and assigns.

Date 07/06/02

Signature of Assignor

PSUC CIP

ase type a plus sign (+) inside this box				rough 9/30/00. OMB 00 DEPARTMENT OF COM	651-0032 MMERCE	<b>†</b>
Under the Paperwork Reduction Act a valid ONB control number.	of 1995, no persons	are required to respond to	a a collection	of Information unless it	contains	
		Attorney Docket	Number	111228CX3.US	3	
DECLARATION FOR UDESIGN	JTILITY OR	First Named Inve	entor	TOLSON		FAX RECEIVED
PATENT APPLIC	ATION	COA	UPLETE II	KNOWN		DEC 0 4 2002
(37 CFR 1.6		Application Numb	per	/ 10/040,	534	DLG 0 4 2002
(0. 0. 1. 1. 1.	-,	Filing Date	12/	28/02		PETITIONS OFFICE
	nitted after Initial	Group Art Unit				PENNONS OFFICE
with Initial Filing	y (surcharge CFR 1.16 (e)) ired)	Examiner Name				
			· · · · · · · · · · · · · · · · · · ·			
As a below named inventor, I han						
My residence, post office address, a						
I believe I am the original, first and a names are listed below) of the subje	sole inventor (if only	one name is listed below)	or an original, ant is sought	first and Joint inventor ( on the invention entitled	lf plurali :	
Frequency synthesizer for		auties and for street a par-				
dual mode receiver						
the specification of which	(Title	of the Invention)				
ls attached horeto						
OR  was filed on (MM/DDYYYY)	12/28/2001	as United	d States Appli	cation Number or PCT I	nternational	
Application Number 10/040 53	A and wa	s amended on (MM/DDM)	m		f applicable).	
I hereby state that I have reviewed a smended by any amendment specifi	and understand the o	entents of the above ident	illed specifica	tion, including the daim	s, 25	
emended by any amendment specifi I acknowledge the duty to disclose in	ically reterred to above	ve. School to cotentability as I	defined in 37	CFR 1.58.		
I hereby claim foreign priority benefit certificate, or 365(a) of any PCT into America, listed below and have also or of any PCT international application	ts under 35 U.S.C. ernational application dentified bolow, by c n having a filing date	119(a)-(d) or 365(b) of ar n which designated at lea- hecking the box, any force before that of the applicat	ny foreign ap ist one counti ign application ion on which	allestion(s) for patent of y other then the Unite for patent or inventor's priority is dalmed.	r inventor's d States of contilicate,	
Prior Foreign Application Number(s)	Country	Foreign Filing Date (MMA/DD/YYYY)	Priority Not Claims	Cartified Copy	Attached?	
Autibot(s)			0000	0000		
Additional foreign application nur		supplemental educity data	<del>-</del>	B/D2B attached hereto:		
I hereby claim the benefit under 35	U.S.C. 119(a) of any	United States provisional	application(s	) listed below.		
Application Number(s)		(MM/DD/YYYY)				
			nui	fitional provisional al nibers are listed on a plemental priority da O/SB/028 attached i	ita sheet	

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any commissts on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

12/04/2002 12:56

Please type a plus sign (+) inside this box -> +

PTO/SB/01 (12-97)
us sign (+) inside this box => + Approved for use through 9/30/00. OMB 0651-0032

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLAR	RATION -	- Utilit	y or	Des	sign	Pater	t App	icatio	<u> </u>			
DECLARATION — Utility or Design Patent Application  hereby defin the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the Initiad States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior Initiad States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to parametriality as defined in 37 CFR 1.56 which became available between the filling date of the prior application with the national or PCT international filling date of this application.												
U.S. Parent Application or PCT Parent Number  Parent Filing Date (if applicable)  Parent Patent Number												
Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.												
As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact as business as a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact as business as a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact as business as a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact as a business as a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact as a business as a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact as a business as a named inventor.    Prince Customer   Number												
			stration	s) name	M GATERIA OF				uration			
Name			mber		-	Name		Nun	nbar			
Michael J. Ure		33.089		n								
Additional registered	practitioner(s) named	on supplemen	tel Registo	red Prac	titioner In	formation shee	et PTO/SB/02C	attached here	ю. 			
Direct all corresponds	ence to: 🗹 Custor		302			_		ndence addr				
Name												
Address												
Address City					State		ZIP	_				
		Taleph	one				Fax					
I hereby declare that all helleved to be true; and punishable by fine or in application or any paten	nprisonment, or both,	rein of my ow	n knowled	ge are to the the ki and that	zue end l nowledge such will	hat all sistem that willful fall ful fabe state	ents made on se statements ments may jeo	information and and the like so pardize the va	d belief are made are lidity of the			
Name of Sole or I					A petition	on has been	filed for this c	nsigned inve	ntor			
Given Na	ne (first and middle	lif anyi)				Family	Name or Su	mame				
Nigel J.				Т	OLSO	N			-			
inventor's Signature								Date	7/6/02			
Residence: City	Reading	Sta	Berk	5	Country	GB		Citizenship	GB			
Post Office Address				_								
Post Office Address	5 Brading Way	, Purley-c	n-Than	nes	_			<del></del>				
city	Reading State	Berks			RG8 81		Country	GB				
DAdditional invent	Additional inventors are being named on thesupplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto											

111228CX3.US	

# **ASSIGNMENT**

(SOLE)

**FAX RECEIVED** 

DEC 0 4 2002

PETITIONS OFFICE

residing	21	S ASSIGNMENT, by Nigel J. TOLSON  5 Brading Way Purley-on-Thames Reading Berks, GB RG8 8BS Ted to as "the Assignor"), witnesseth:	
(hereinatt			PET
	WH	IEREAS, the Assignor has invented certain new and useful improvements it	n <u> </u>
Eroguei	ncv svn	thesizer for dual mode receiver	
set forth	in an a	pplication, which is a	
		provisional application    non-provisional application	
	1	(a)	
	1.	(b) I to be filed:	
	2.	having an oath or declaration executed on even date herewith prior	to filing of
	4.	application:	
	3.	bearing Application No. 10/040,534 , and filed on 12/28/02	; and

WHEREAS, TROPIAN, INC., a corporation duly organized under and pursuant to the laws of THE STATE OF CALIFORNIA, and having its principal place of business at 20813 Stevens Creek Boulevard, Suite 150, Cupertino, California 95014-5649 (hereinafter referred to as "the Assignee"), is desirous of acquiring the entire right, title, and interest in and to said inventions, the right to file applications on said inventions and the entire right, title and interest in and to any applications, including provisional applications for Letters Patent of the United States or other countries claiming priority to said application, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon.

NOW, THEREFORE, In consideration of One Dollar (\$1.00) and other good and sufficient consideration, the receipt of which is hereby acknowledged, the Assignor has sold, assigned, transferred, and set over, and by these presents does sell, assign, transfer, and set over, unto the Assignee, its successors, legal representatives, and assigns the entire right, title, and interest in and to the above-mentioned inventions, the right to file applications on said inventions and the entire right, title and interest in and to any applications for Letters Patent of the United States or other countries claiming priority to said application, and any and all Letters Patent or Patents of the United States of America and all foreign countries that may be granted therefor and thereon, and in and to eny and all applications, claiming priority to said applications, divisions, continuations, and continuations-in-part of said applications, and reissues and extensions of said Letters Patent or Patents, and all rights under the International Convention for the Protection of Industrial Property, the same to be held and enjoyed by the Assignee, for its own use and behalf and the use and behalf of its successors, legal representatives, and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted as fully and entirely as the same would have been held and enjoyed by the Assignor had this sale and assignment not been made;

AND for the same consideration, the Assignor hereby covenants and agrees to and with the Assignee, its successors, legal representatives, and assigns, that, at the time of execution and delivery of these presents, the Assignor is the sole and lawful owner of the entire right, title, and interest in and to the inventions set forth in said applications and said applications, including provisional applications, above-mentioned, and that the same are unencumbered, and that the Assignor has good and full right and lawful authority to sell and convey the same in the manner herein set forth;

AND for the same consideration, the Assignor hereby covenants and agrees to and with the Assignee, its successors, legal representatives, and assigns that the Assignor will, whenever counsel of the Assignee, or the counsel of its successors, legal representatives, and assigns, shall advise that any proceeding in connection with said inventions or said applications for Letters Patent or Patents, or any proceeding in connection with Letters Patent or Patents for said inventions in any country, including interference proceedings, is tawful and desirable, or that any application claiming priority to said application, division, continuation, or continuation-in-part of any applications for Letters Patent or Patents, or any reissue or extension of any Letters Patent or Patents to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of Letters Patent or Patents for said inventions, without charge to the Assignee, its successors, legal representatives, and assigns, but at the cost and expense of the Assignee, its successors, legal representatives, and assigns,

PSUC CIP

PAGE 15/15

Application No.

Attorney's Docket No. 111228TWT.US

AND the Assignor hereby requests the Commissioner of Patents to issue any and all said Letters Patent of the United States to the Assignee, as the Assignee of said inventions and the Letters Patent to be issued thereon for the sole use and behalf of the Assignee, its successors, legal representatives, and assigns.

		Signature of Assignor	
Data	07/08/02	Signature of Assignor	